IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 768 OF 2005

IN

FIRST APPEAL NO. 7756 OF 1994

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's Orders	Court's or Judge's Orders

R.S. Datar for the appellants.
S.N. Gawade, AGP for the respondents.

CORAM: S.B. DESHMUKH, J.
DATE : AUGUST 19, 2006.

P.C. :

1. Heard learned cousenl for the applicants as well as learned AGP faor the respondent/State.

2. The applicants/original claimants had filed an application for enhancement in the amount of compensation under section 18 of the Land Acquistion Act, 1984, before the Special Land Acquisition Officer.

The said application was transferred to the learned District Judge and in turn to the reference court. Such application was numbered as Land AcquisitionReference No. 110 of 1987 and was partly allowed by the reference court by the judgment and award passed on January 15, 1994. This order, is the subject matter of the First Appeal (St) No. 7756 of 1994. This First Appeal, seems to have been dismissed. The applicants by this application, are seeking the quashment of the said order passed on June 4, 1996. In other words, the applicants are seeking now the restoration of the First Appeal on its positiopn on the date of dismissal.

3. Having heard the learned cousnel for the parties and considering the fact that the

agsricultural land of the applicants was the subject matter of compulsory acquistion, in my view, case for restoration of the First Appeal in this court is established.

4. In this view of the amtter, Civil Application is allowed. First Appeal (St) no. 7756 of 1994 is restored to the position on the date of dismissal.

5. Civil Application is accordingly allowed and disposed off.

sd/-
(JUDGE)